

Appl. No. 09/804,034
Response to Final Action of January 15, 2005

PATENT
Docket No.: US010383
Customer No. 000024737

REMARKS

By this amendment, claims 1, 2, 7, 8 and 12-16 have been cancelled. Claims 3, 5, 6, 11 and 17 have been amended. Claims 3-6, 9-11 and 17 remain in the application. This application has been carefully considered in connection with the Examiner's Action. Reconsideration, withdrawal of the final action, and allowance of the application, as amended, is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 3-10 and 13-17 were rejected under 35 U.S.C. § 102(e) as being anticipated by Beizer et al., U.S. Patent No. 6,240,414 ("Beizer"). With respect to claims 7-8 and 13-16, the same have been canceled herein, thereby rendering the rejection thereof moot. With respect to claims 3, 5 and 17, applicant respectfully traverses the rejection for at least the following reason. As presented herein, claims 3, 5 and 17 have been amended to include the language of previously presented, but now canceled, claim 7 with clarification of "electronically signed".

The PTO provides in MPEP § 2131 that

"[t]o anticipate a claim, the reference must teach every element of the claim...."

Therefore, with respect to claims 3, 5 and 17, to sustain this rejection the Beizer patent must contain all of the above claimed elements of the respective claims. However, contrary to the examiner's position that all elements are disclosed in the Beizer reference, the latter reference does not disclose wherein the rules are based upon

(I) a characteristic of the change to the accessed data elements by a second user, wherein the characteristic of the change comprises the accessed

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data elements having been electronically signed by the second user in which the electronically signed data elements require a password to edit the corresponding data elements, and

(II) a characteristic of the accessed data elements used by the first user, wherein the characteristic of the accessed data elements comprises

(i) a change to a field of the accessed data elements while the form document has remained open by the first user,

(ii) fields of the accessed data elements having been updated from the common database while the form document has remained open by the first user,

(iii) fields of the accessed data elements that have not changed since the form document was opened by the first user, and

(iv) the accessed data elements having been electronically signed by the first user in which the electronically signed data elements require a password to edit the corresponding data elements,

as is required by claims 3, 5 and 17.

Therefore, the rejection is not supported by the Beizer reference and should be withdrawn. Accordingly, claims 3, 5 and 17 are allowable and an early formal notice thereof is requested. Dependent claims 4 and (6, 9 and 10) depend from and further limit, in a patentable sense, independent claims 3 and 5, respectively, and therefore are allowable as well.

Rejection under 35 U.S.C. § 103

Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Beizer et al., U.S. Patent No. 6,240,414 ("Beizer") in view of Sugano et al., U.S. Patent No. 6,205,478 ("Sugano"). Applicant respectfully traverses this rejection for at least the following reasons. Claim 11 depends from and further limits, in a patentable

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sense, allowable independent claim 5 and therefore is allowable as well. Claim 12 has been canceled herein, thus rendering the rejection thereof moot.

Conclusion

It is clear from all of the foregoing that independent claims 3, 5 and 17 are in condition for allowance. Dependent claims (4) and (6 - 11) depend from and further limit independent claims 3 and 5, respectively, therefore are allowable as well. The amendments herein are fully supported by the original specification and drawing, therefore, no new matter is introduced. Withdrawal of the final action and issuance of an early formal notice of allowance of claims 3-17 is requested.

Respectfully submitted,

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